

April 24, 2017

To: His Excellency the Right Honourable David Johnston, Governor General of Canada
The Right Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Mélanie Joly, Minister of Canadian Heritage

Re: Racial equity, Reconciliation and the CRTC

Dear Excellency, Prime Minister, and Minister,

1. The Community Media Advocacy Centre (CMAC) writes to share concerns related to racism at the CRTC. We ask that the CRTC and Ministry take action to ensure the CRTC supports racial equity and the sovereignty of Indigenous peoples.
2. CMAC is a non-profit organization comprised of academics, legal advisors, policy consultants and community media practitioners who prioritize the perspectives, voices and experiences of Indigenous peoples, people of colour, third language and disAbility communities. CMAC works toward equitable representation and access for underrepresented communities within the broadcasting system, including the CRTC.
3. In September 2016, CMAC and the Urban Alliance on Race Relations (UARR) wrote to your Excellency, the Minister, and CRTC Chairman Jean-Pierre Blais concerning Raj Shoaan, former CRTC Commissioner for the Region of Ontario.¹ In this letter, CMAC and UARR expressed concerns related to racism, including the lack of equitable representation of Indigenous and racialized people on the Commission, and the environment of overt racism within the Commission alleged in Shoaan's case.
4. In response, in November 2016 the Minister granted a meeting "to discuss systemic inequity in representation at the CRTC". This resulted in a meeting with Dan Smith, Director General, Portfolio Affairs, Ministry of Canadian Heritage, in February 2017.² At this meeting, CMAC and UARR representatives asked what actions the CRTC was taking to address the lack of representation of Indigenous and racialized people on the Commission. In response, Mr. Smith invited CMAC and UARR to recruit Indigenous and racialized individuals among our personal and professional networks as applicants for these appointments. Given that this invitation was the extent of the strategy offered to address racial inequity on the Commission, CMAC and UARR were led to believe that no concrete actions were being taken to address this systemic imbalance.
5. In March, CMAC participated in a hearing for Broadcasting Notice of Consultation CRTC 2017-1, regarding applications for radio licenses to serve urban Aboriginal communities in Ottawa, Toronto, Calgary, Edmonton, and Vancouver.³ Regrettably, the behaviour of the Commission, and particularly the Chair, at this hearing deepened CMAC's concerns with systemic and overt racism and a colonial mentality at the Commission.

¹ <https://cmacentre.wordpress.com/2016/09/10/letter-re-dismissal-of-crtc-commissioner-raj-shoan/>

² <http://www.thewirereport.ca/news/2017/01/17/address-diversity-gaps-when-filling-crtc-roles-minister-told/31678>

³ http://www.crtc.gc.ca/broadcast/eng/hearings/2017/ag27_03.htm?_ga=1.208925266.1553568569.1485974792

6. Rather than heralding any of a number of historic Indigenous communicators and leaders, the Chair chose to open the hearing by praising Samuel de Champlain⁴ in a statement that failed to acknowledge Champlain's historic actions as the murderer of Indigenous Haudenosaunee chiefs.⁵ He proceeded to express regret that there were no "qualified candidates from your community," presumably referring to the diverse Indigenous nations across Canada, none of which were represented on the panel.⁶
7. Later in the hearing, the Chair described Canada's advertising market as a "pie" that "came over with Christopher Columbus and has never grown,"⁷ implying that Indigenous peoples have not contributed meaningfully to Canada's economy. Such statements are not only offensive in the context of a hearing by and about Indigenous broadcasting, but undermine the Government of Canada's public and repeated commitment to reconciliation with Indigenous peoples.⁸
8. After CMAC's presentation at the hearing, delivered by two racialized representatives of the organization, the Chair proceeded along an aggressive line of questioning, asking CMAC's representatives if they "represent all the Indigenous peoples of Canada through your board governance?"⁹ This question reflected either inappropriate sarcasm or a homogenized stereotype of Indigenous peoples, who comprise hundreds of nations of First Peoples, Inuit and Métis. The Chair went on to imply that CMAC was speaking on behalf of Indigenous nations without having consulted them, when this was clearly not the case.¹⁰ The Chair further chastised CMAC representatives with the accusation "You didn't even read the public notice correctly,"¹¹ when CMAC representatives sought to argue that the licenses for Indigenous radio stations should comply with the CRTC's own Native Broadcasting Policy. The Chair concluded, "the Commission can make exceptions to its policies. And, in fact, it would be a jurisdictional error to be bound by its policies."¹²
9. One can only be left with the impression that the hearing will be determined, not by the transparent policies the CRTC has set for broadcasters, but at the whims of a panel led by an individual who praises perpetrators of murder of Indigenous people, holds only the vaguest understanding of a homogenous "Aboriginal" stereotype, believes Indigenous people do not contribute to the Canadian economy and targets racialized community media advocates with sarcastic interrogations at a public proceeding.
10. Given these concerns, along with those documented in the CMAC and UARR letter of September 2016, expressed in the meeting of February 2017, and identified elsewhere

⁴ "Champlain was not one of the many European mercenaries that wanted to take Indigenous lands and exploit them. He was rather a humanist who was welcoming and inclusive." (Transcript, 27 March 2017, Line 37)

⁵ Recent public debates have also arisen, concerning Champlain and the controversial documentary series, *Canada: The Story of Us*. <https://www.tv-eh.com/tag/hayden-king/>

⁶ Transcript, 27 March 2017, Line 46: <http://crtc.gc.ca/eng/transcripts/2017/tb0327.htm>

⁷ Transcript, 27 March 2017, Line 1454: <http://crtc.gc.ca/eng/transcripts/2017/tb0327.htm>

⁸ <http://www.cbc.ca/news/politics/trudeau-indigenous-leaders-trc-1.3897902>

⁹ Transcript, 28 March 2017, Line 2219: <http://crtc.gc.ca/eng/transcripts/2017/tb0328.htm>

¹⁰ "I'm just trying to get some facts about what you did because you claim to have done and speak about on behalf of people." Transcript, 28 March 2017, Line 2245.

¹¹ Transcript, 28 March 2017, Line 2255: <http://crtc.gc.ca/eng/transcripts/2017/tb0328.htm>

¹² Transcript, 28 March 2017, Line 2261: <http://crtc.gc.ca/eng/transcripts/2017/tb0328.htm>

by others,¹³ CMAC asks that immediate action be taken to address discrimination against Indigenous and racialized persons by the CRTC. To this end we request:

- a. That Chairman Blais apologize for inappropriate statements made during the public hearing CRTC 2017-1;
- b. That a transparent and accountable third-party process be initiated to investigate and address allegations of systemic and overt racism within the Commission, and Chairman Blais' role therein;
- c. That the CRTC implement comprehensive anti-racism education and training among its staff and appointees;
- d. That an Indigenous or racialized person be appointed as Chair of the Commission; and
- e. That the CRTC consult directly with Indigenous nations and associated representative organizations in its ongoing and upcoming reviews of the *Broadcasting Act*, *Native Broadcasting Policy*, and *Cultural Diversity Policy*.¹⁴

11. We believe these actions may restore trust and affirm the legitimacy of the CRTC as a public authority regulating broadcasting and telecommunications in Canada at this time when increasing numbers call upon the Government to take action that will lead to reconciliation with Indigenous peoples.¹⁵

Respectfully,



Kristiana Clemens
President, CMAC



Zoe Ludski
Vice-President, CMAC

¹³ "Three-quarters (74%) of the people appointed as CRTC Commissioners have been men, 98% have been white and three-quarters (77%) have had backgrounds in management, finance, government or law." Forum for Research and Policy in Communications: <http://frpc.net/appointments-to-the-crtc/>

¹⁴ <http://crtc.gc.ca/eng/backgrnd/plan2017/plan2017.htm>

¹⁵ <http://www.theglobeandmail.com/news/politics/public-opinion-of-indigenous-people-in-canada-improving-survey/article30346252/>